IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 909 OF 2005.

Rashtriya Mill Mazdoor Sangh. .. Appellant.

V/s.

Official Liquidator,
High Court, Bombay. ... Respondent.

Shri N.D. Buch with Ms. B.B. Dholakia for the appelant.

Shri P.G. Rao,Depuety Official Liquidator is present.

Shri Mihir Mody i/b K. Ashar & Co. for respondent No.4.

Shri A. Kumbhakoni, Associate Advocate General with Ms. Geeta Shastri, AGP for respondent No.5.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 20.10. 2005.

P.C. :

. This appeal is directed against the order of the learned Single Judge, dated 5.9.2005 passed in Group of Company Petitions which includes Company Petition No. 316 from which present appeal arises.

. Heard parties. Perused appeal memo with annexures.

2. Learned Single Judge by the impugned detailed order refused to accept the submissions made on behalf of the appellant representing workmen that High Power Committee appointed by the State Government consisting of the Chief Secretary

(Labour), as Chairman of the said Committee and representatives of the workmen and representatives of the IDBI, (secured creditors), representatives of the Bank of Baroda (Secured creditors), Chairman of Swadeshi Mills, and Deputy Secretary (Labour) be independently allowed to proceed with the sale of immovable properties of the Company, which is in the process of winding up by virtue of order of this Court.

3. The learned Single Judge after dealing with the contentions of the appellant herein refused the substantive contentions of the appellant and issued directions with respect to the working of the High Power Committee, which, in our opinion, can blend well with the functioning of the Official Liquidator. Learned Single Judge passed workable order.The view taken by the learned Single Judge is a reasonable and possible view and in our view correct view in the facts and circumstances of the case.

4. We endorse and confirm the view taken by the learned Single Judge and can do no better than to adopt the same while dismissing this appeal.

5. Thus, for the reasons recorded in the impugned order, appeal is dismissed in limine with no order as to costs.